



Application granted in part. Defendant Venetozzi shall answer or otherwise move with respect to the Complaint in accordance with the Court's Individual Practices by May 3, 2023.

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

The Clerk of Court is respectfully requested to terminate the motion sequence pending at Doc. 21.

SO ORDERED.

March 31, 2023


Philip M. Halpern
United States District Judge

Dated: White Plains, New York
March 31, 2023

Via ECF

Hon. Philip M. Halpern
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150

Re: **Castillo v. Snedeker, et al., 21-cv-11109- (PMH)**

Dear Judge Halpern:

Defendant, First Deputy Superintendent Don E. Venetozzi (“Defendant John”), was served with the summons and complaint in the above-referenced matter on March 13, 2023. His response is due on April 3, 2023. Upon information and belief, and on review of the Docket, co-defendants C.O. Robert C. Snedeker and C.H.O. Katherine Henley have not been served. I write, on behalf of the aforementioned Defendants, to respectfully request that their time to move or answer with respect to the Complaint, be extended to June 2, 2023. This is the Defendants’ first request for an extension.

Defendant Venetozzi has requested legal representation from this Office, pursuant to New York State Public Officers Law § 17. However, pursuant to that statute, prior to undertaking his representation, this Office must conduct an investigation and review of the facts and circumstances of the case in order to determine whether representation by this Office would be appropriate. additional time is needed so that this Office can obtain the relevant documents and conduct the required factual investigation and representational analysis required by Public Officers Law § 17. Moreover, the additional time is needed to prepare an appropriate response to the Complaint, if representation is undertaken.

Although Defendants Snedeker and Henley have not yet been served, this request is also being submitted on their behalf so as to obviate the need for piecemeal requests for time if and when service is completed.

Hon. Philip M. Halpern
March 31, 2023

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Plaintiff's consent has not been sought because of the difficulty in prompt communication with incarcerated pro se litigants. Thank you for your consideration of the application.

Respectfully submitted,

/s/ Joshua M. Mitts
Joshua M. Mitts
Assistant Attorney General

Cc: Pedro Castillo
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